

MINUTES – MAY 19, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of May 1998, the Commissioners' Court convened the Voting Session at 9:12 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 12:09 PM and reconvened the Voting Session at 1:38 PM.

The Commissioners' Court retired to Executive Session at 4:46 PM and reconvened the Voting Session at 5:17 PM.

The Commissioners' Court adjourned the Voting Session at 5:19 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the NWTCRD #3 Voting Session at 5:19 PM and adjourned at 5:20 PM.

RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION FOR THE CONLEY GUERRERO SENIOR ACTIVITY CENTER'S TENTH YEAR ANNIVERSARY. (9:12 AM)

Members of the Court heard from: Margarine Beaman, Advisory Board Chair, Conley Guerrero Senior Activity Center.

Motion by Commissioner Gómez and **seconded by** Commissioner Sonleitner to approve the Proclamation under Item 1.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

2. APPROVE COMMISSIONERS' COURT RESOLUTION URGING ALL CITIZENS OF TRAVIS COUNTY TO OBSERVE THE 20TH THROUGH 30TH DAY OF MAY 1998 WITH APPROPRIATE MEMORIAL DAY PROGRAMS AND ACTIVITIES. (9:14 AM)

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the Resolution under Item 2.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

3. APPROVE A PROCLAMATION RECOGNIZING THE MONTH OF MAY, 1998 AS "BUCKLE UP AMERICA MONTH" IN TRAVIS COUNTY. (9:17 AM)

Members of the Court heard from: Dan Hinkle, Sergeant, Travis County Sheriff's Office (TCSO).

Motion by Judge Aleshire and seconded by Commissioner Gómez to approve the Proclamation under Item 3.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

CITIZENS' COMMUNICATION

Members of the Court heard from: Gus Peña, President, East Austin Concerned Hispanics; Cheryl Brown, Assistant to the Commissioner, Precinct 1; Jerome Pilgrim, Purchasing; LaMetrica Gray, Travis County Sheriff's Office (TCSO); Gwenda Rogers, District Clerk's Office; Priscilla Price, District Attorney's Office; Diane Spears, District Attorney's Office; John Foreman, Host, Texas Best Seminars and Producer, In Your Face Campaign; Alex Jones, Private Citizen; Kenneth Dees, Travis County Resident and Founder, Global Radios; Jesse Issory, local Auto Mechanic; Rusty Fields, Travis County Resident; Charlotte Wilson, Austin Pets Alive; Pam Shaltberger, Private Citizen; E. J. White, Private Citizen; Marnie Reeder, Volunteer, Animal Shelter; and Florence Charity, East Austin Resident. (9:22 AM)

CONSENT ITEMS

4. Motion by Commissioner Gómez and **seconded by** Commissioner Sonleitner to approve the following Consent Items: 18, 31, and C1 – C21, excluding C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. (10:07 AM)

Motion carried: County Judge Bill Aleshire - yes
Precinct 1, Commissioner Darwin McKee - yes
Precinct 2, Commissioner Karen Sonleitner - yes
Precinct 3, Commissioner Margaret Moore - yes
Precinct 4, Commissioner Margaret J. Gómez - yes

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3.** APPROVE COMMISSIONERS' COURT MINUTES FOR VOTING SESSIONS APRIL 14, 1998; MAY 5, 1998; AND SPECIAL VOTING SESSION OF MAY 8, 1998.
- C4.** APPROVE PAYMENT OF \$180.00 TO THE VETERAN'S LAND BOARD FOR FEE FOR PARTIAL RELEASE OF ACREAGE NEEDED FOR THE DOYLE/EILERS DRAINAGE PROJECT, (PARCEL #6, OVERTON).
- C5.** APPROVE LICENSE AGREEMENT WITH DONALD AND KATHRYN COUNTS FOR LANDSCAPING AND RETAINING WALLS IN THE RIGHT-OF-WAY OF WEST LAKE DRIVE IN PRECINCT THREE.
- C6.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0041-JP, WITH AIR SANITATION, INC., FOR HVACR AIR FILTRATION SERVICES; CONTRACT APPROVED ON 12/9/97; MODIFICATION IDENTIFIES ADDITIONAL FACILITIES TO BE SERVICED BY THE CONTRACT.
- C7.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0230-RH WITH T.N. EMPLOYMENT SERVICES AND CONTRACT NO. 97T0231-RH WITH ACCUSTAFF, INC., FOR TEMPORARY PERSONNEL; CONTRACTS APPROVED ON 5/27/97; MODIFICATION ALLOWS FOR TWELVE (12) MONTH EXTENSION.
- C8.** APPROVE PURCHASE OF SOFTWARE FROM DEPARTMENT OF INFORMATION RESOURCES IN THE AMOUNT OF \$16,086.00.

CONSENT ITEMS CONTINUED

C9. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 14 & 15 BLOCK K HILL COUNTRY, PHASE II A (AMENDED PLAT - NO FISCAL REQUIRED - 1 LOT - 2.554 ACRES - CLEAR NIGHT LANE - COA ETJ - SEWER SERVICE PROVIDED BY ON-SITE SEWER SYSTEM).

C10. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 4D - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 47 LOTS - 21.22 ACRES - OXSHEER DRIVE - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C10 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21.

Motion by Judge Aleshire and **seconded by** Commissioner Margaret J. Gómez to approve the following Items as summarized below:

- C10.** Approve Item C10.
- C11.** Approve Item C11.
- C12.** Approve Item C12.
- C13.** Approve Item C13.
- C14.** Approve Item C14.
- C15.** Approve Item C15.
- C16.** Approve Item C16.
- C17.** Approve Item C17.
- C20.** Approve Item C20.
- C21.** Approve Item C21.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

CONSENT ITEMS CONTINUED

- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 4E - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 49 LOTS - 37.11 ACRES - FLAT TOP RANCH ROAD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C11 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

- C12.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 4F - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 44 LOTS - 25.59 ACRES - FLAT TOP RANCH ROAD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C12 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

- C13.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 4G - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 37 LOTS - 25.34 ACRES - HALSELL DRIVE - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C13 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

CONSENT ITEMS CONTINUED

- C14.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 5A - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 86 LOTS - 22.77 ACRES - STEINER RANCH BOULEVARD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C14 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

- C15.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 5B - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 101 LOTS - 24.29 ACRES - GRIMES RANCH ROAD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C15 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

- C16.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 5C - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 70 LOTS - 44.30 ACRES - PERSIMMON VALLEY TRAIL - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C16 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

CONSENT ITEMS CONTINUED

- C17.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE TWO, SECTION 3C - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 44 LOTS - 26.0334 ACRES - QUINLAN PARK ROAD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C17 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

- C18.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE TWO, SECTION 4A - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 45 LOTS - 51.28 ACRES - QUINLAN PARK ROAD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17).

- C19.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE TWO, SECTION 4B - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 38 LOTS - 7.65 ACRES - QUINLAN PARK ROAD - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17).

- C20.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE TWO, SECTION 4C - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 38 LOTS - 6.72 ACRES - CANYON GLEN CIRCLE - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C20 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court's action on this Motion.

CONSENT ITEMS CONTINUED

C21. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE TWO, SECTION 4D - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 42 LOTS - 7.91 ACRES - CANYON GLEN CIRCLE - WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17). (10:06 AM) (12:09 PM)

Item C21 pulled from Consent.

Members of the Court agreed to consider one Motion for Items C10, C11, C12, C13, C14, C15, C16, C17, C20 and C21. Please refer to Item C10 for a summary of the Court’s action on this Motion.

COUNTY POLICIES AND PROCEDURES

5. A. DIRECT STAFF TO CHANGE THE NAME OF MANUAL FROM THE TRAVIS COUNTY POLICIES, PROCEDURES AND REGULATIONS MANUAL TO THE TRAVIS COUNTY CODE, AND TO INCORPORATE CHANGE IN NON-SUBSTANTIVE VERSION TO BE APPROVED BEFORE PUBLICATION. (10:09 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Jimothy Dyson, Director of Law Library Services, Records Management and Communication Resources.

Members of the Court agreed to consider one Motion for Items 5.A, B and C.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to adopt Item 5 on the agenda. This includes giving staff direction to change the name of the manual to the Travis County Code and to create an appendix to the Code that would consolidate all fees and make the necessary changes in the chapters. The Court also adopts the publication schedule for this proposal.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

ITEM 5 CONTINUED

- B. DIRECT STAFF TO CREATE A CHAPTER CONSOLIDATING ALL FEES LISTED IN THE MANUAL AND TO SUBMIT CHAPTER IN NON-SUBSTANTIVE VERSION TO BE APPROVED BEFORE PUBLICATION. (10:09 AM)**

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Jimothy Dyson, Supervisor of Library Services.

Members of the Court agreed to consider one Motion for Items 5.A, B and C. Please refer to Item 5.A for a summary of the Court's action on this Motion.

- C. APPROVE THE MANUAL/CODE PUBLICATION SCHEDULE. (10:09 AM)**

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Jimothy Dyson, Supervisor of Library Services.

Members of the Court agreed to consider one Motion for Items 5.A, B and C. Please refer to Item 5.A for a summary of the Court's action on this Motion.

ADMINISTRATIVE ITEMS

REVISED WORDING

6. APPROVE OR DISAPPROVE A REQUEST FOR VARIANCE FROM TRAVIS COUNTY RULES FOR ON-SITE PRIVATE SEWAGE FACILITIES FOR THE FOLLOWING: (10:23 AM) (2:57 PM)

A. 8304 TALBOT LANE - KAREN STEVENS, OWNER

B. 5912 STANDING ROCK - BOB KIRKPATRICK, OWNER

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Affairs Services; Mary Etta Gerhardt, Assistant County Attorney; Irvin Konrod, Field Supervisor, Austin-Travis County Health and Human Services Department; Jim Fulton, Engineering Associate III, Austin-Travis County Health and Human Services Department; Steve Wenzel, Engineer, Wenzel Engineering, Inc., and Kate Kelley, Assistant County Attorney.

Motion by Commissioner Sonleitner and seconded by Commissioner McKee to approve the requests for variance for Items 6.A and B as stated on the agenda.

Motion carried: County Judge Bill Aleshire - yes
Precinct 1, Commissioner Darwin McKee - yes
Precinct 2, Commissioner Karen Sonleitner - yes
Precinct 3, Commissioner Margaret Moore - yes
Precinct 4, Commissioner Margaret J. Gómez - yes

7. DISCUSS 1998 PAVEMENT MANAGEMENT SYSTEM UPDATE AND ADOPT PAVEMENT MANAGEMENT STRATEGY. (2:43 PM)

Item 7 pulled from the agenda.

8. APPROVE THE REPROGRAMMING OF SAVINGS IDENTIFIED FROM THE FY'96, FY'97, AND FY'98 HOT MIX OVERLAY PROGRAM (CERTIFICATES OF OBLIGATION) FOR USE ON RECOMMENDED TRAVIS COUNTY ROADWAYS NEEDING HMAC OVERLAYS. (2:43 PM)

Item 8 pulled from the agenda.

- 9. APPROVE CONTRACT AWARDS FOR THE PROVISION OF THE 1998 HOT MIX OVERLAY PROGRAM, IFB #B980053-JJ. (2:43 PM)

Item 9 pulled from the agenda.

- 10. APPROVE MODIFICATION TO CONTRACTS FOR HOT MIX OVERLAY. (9:21 AM) (2:43 PM)

Item 10 pulled from the agenda.

- 11. DIRECT PURCHASING OFFICE TO ADVERTISE BIDS FOR THE REVISED 1998 HOT MIX OVERLAY PROGRAM. (2:43 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to direct the Purchasing Office to advertise for the bids for the revised 1998 Hot Mix Overlay Program as laid out by TNR in terms of which projects are next to go out. The Court notes the exception that Summer Set, Three Points, Merriltown and Maple Vista are being deleted from the Build Greater Austin Program (BGAP) list of projects that are to go out for bid.

Maker accept the Friendly Amendment by Commissioner Gómez that the list that Precinct One Commissioner McKee requested. This is directing TNR to come up with a new list of what has gone out and what projects are next. Once the round of bids comes in, the Court will be able to determine whether to go with the second round of savings related bids or if the most prudent direction would be to attach the money to reconstruction or rehab, whatever is the most prudent use for that money.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

12. A. RECEIVE UPDATE ON CONSTABLE, PCT. 2 WARRANT DEPUTY PILOT PROJECT AND TAKE APPROPRIATE ACTION. (1:38 PM)

Members of the Court heard from: Bob Vann, Constable, Precinct Two; and Mark McCray, Budget Analyst, Planning and Budget Office (PBO).

Discussion Only.

No action taken on Item 12.A.

B. DISCUSS PROCEDURES RELATED TO NEW FTE'S THAT ARE BUDGET NEUTRAL/ OR BUDGET POSITIVE AND TAKE APPROPRIATE ACTION. (2:17 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Discussion Only.

No action taken on Item 12.B.

13. RECEIVE SUMMARY AND FINDINGS OF THE NEIGHBORHOOD CONFERENCE COMMITTEE EVALUATION REPORT, PROGRAM YEAR 1996. (11:20 PM)

Members of the Court heard from: Kati Broderick, Manager, Criminal Justice Planning (CJP); Eric Wilson, Neighborhood Conference Community Program Coordinator, Austin-Travis County Health and Human Services Department; Mike Trimble, Planner, CJP; Adam Pleasant, program Participant; Faye Pleasant, Participant's Mother (Adam); Norma Soto, Case Manager, Neighborhood Conference Community Program; Dinah Dinwiddie, Executive Manager, CJP; and LaRu Woody, Assistant District Attorney.

Discussion Only.

No action taken on Item 13.

14. RECEIVE AND DISCUSS FIRST REVENUE ESTIMATE FOR FY 1999 BUDGET PROCESS. (3:28 PM)

Members of the Court heard from: Blain Keith, Director of Financial Service, Travis County Auditor's Office.

Discussion Only.

15. A. DISCUSS REQUEST FROM PFLUGER WIGINTON HOOKER/NBBJ FOR ADDITIONAL COMPENSATION FOR PHASE 1 DESIGN SERVICES. (3:34 PM)

Members of the Court heard from: Kevin Bailey, Director, Facilities Management; Ken Gaede, Project Manager, Facilities Management; John Hille, Assistant County Attorney and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only.

Item 15.A to be reposted on May 26, 1998.

- B. APPROVE CONTRACT MODIFICATION AND TAKE OTHER ACTION TO PROVIDE FOR ARCHITECTURAL ENGINEERING SERVICES (BASIC AND CONSTRUCTION PHASE SERVICES) AND PROJECT MANAGEMENT FOR CAPITAL IMPROVEMENT PROJECTS AT DEL VALLE. (9:21 AM)

Members of the Court heard from: Kevin Bailey, Director, Facilities Management; Ken Gaede, Project Manager, Facilities Management; John Hille, Assistant County Attorney and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only.

Item 15.B to be reposted on May 26, 1998.

16. CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY AND WAIVER OF A PORTION OF THE STANDARD INDEMNIFICATION LANGUAGE REGARDING THE PROPOSED CONTRACT FOR COMMUNITY ACTION NETWORK (CAN) COMMUNITY ASSESSMENT SERVICES BETWEEN TRAVIS COUNTY AND THE AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER AND TAKE APPROPRIATE ACTION. (3:46 PM)

Motion by Commissioner Margaret J. Gómez and **seconded by** Commissioner Sonleitner to approve Item 16 as stated.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

17. AUTHORIZE INVESTIGATION OF FOURTEEN (14) AMA PROJECT CHANGE REQUESTS FOR COST AND SCHEDULE IMPLICATIONS TO THE INTEGRATED JUSTICE SYSTEM AT A POTENTIAL COST OF \$128,178. (9:21 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, CJP; David Escamilla, First Assistant County Attorney; and Karen Shafer Castro, Senior Budget Analyst, PBO.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Moore to the fourteen (14) project change requests.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Clerk's Note: The Court approved the contract at this time, recognizing that the approval would not be effective until they provided for the budget. The Court anticipated that happening later in the meeting with Item 29 (APPROVE BUDGET AMENDMENTS AND TRANSFERS).

18. APPROVE CONTRACT WITH BRYN MAWR COLLEGE FOR A SUMMER INTERN IN THE NATURAL RESOURCES PROGRAM AT TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT (TNR). (10:07 AM)

Item 18 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE AGREEMENT PROVIDING FUNDS TO THE CLEAN AIR FORCE OF CENTRAL TEXAS FOR ADMINISTRATIVE POSITIONS AND PROGRAMS. (2:33 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Paul Hilleker, Clean Air Force.

Motion by Commissioner McKee and **seconded by** Commissioner Gómez to approve funding for Item 19.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

20. A. APPROVE CASH SECURITY AGREEMENT FOR RIVER PLACE SECTION 13, A SUBDIVISION IN PRECINCT TWO. (3:51 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 20.A to be reposted on May 26, 1998.

- B. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: RIVER PLACE SECTION 13- (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 65 LOTS - 59.607 ACRES - BIG VIEW DRIVE - WASTEWATER SERVICE TO BE PROVIDED FOR BY RIVER PLACE MUD). (3:51 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 20.B to be reposted on May 26, 1998.

- C. APPROVE A QUITCLAIM DEED FOR A PORTION OF RIVER PLACE BOULEVARD IN PRECINCT TWO. (3:51 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 20.C to be reposted on May 26, 1998.

21. APPROVE AN AFFIDAVIT AND RELEASE OF EASEMENT OF LOTS 42-43, BLOCK A, ESTATES OF BRENTWOOD, AN ANNEXED SUBDIVISION PREVIOUSLY IN PRECINCT TWO. (9:21 AM) (4:07 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Moore to approve the affidavit and release of the easement for the lots posted under Item 21. This is an annexed subdivision previously in unincorporated Precinct Two. The approval is contingent on the affidavit arriving before the end of this meeting.

Clerk's Note: Commissioner Moore suggested that the Court hold action on Item 21 until the affidavit arrived. Commissioner Sonleitner concurred. The Court did not take a Vote on the Standing Motion at this time.

Motion Pending on Item 21.

Clerk's Note: The Court reconsidered Item 21 at 4:45 PM.

Motion Pending was re-urged by Commissioner Sonleitner and **seconded by** Commissioner Moore.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 22. A. APPROVE CASH SECURITY AGREEMENT FOR WILDFLOWER SECTION 4, A SUBDIVISION IN PRECINCT TWO. (4:10 PM)

- B. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: WILDFLOWER SECTION FOUR - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 42 LOTS - 7.536 ACRES - SPRING HEATH ROAD - WASTEWATER SERVICE TO BE PROVIDED FOR BY NORTHTOWN MUD NO. 1). (4:10 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to approve Items 22.A and B as stated on the agenda.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 23. A. APPROVE CASH SECURITY AGREEMENT PROVIDING FULL FISCAL FOR BARTON CREEK ABC WEST, PHASE 1, A SUBDIVISION IN PRECINCT THREE. (10:06 AM)

Item 23.A postponed until May 26, 1998.

- B. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: BARTON ABC WEST PHASE 1 - (LONGFORM - CASH SECURITY AGREEMENT POSTED WITH TRAVIS COUNTY - 82 LOTS - 149.165 ACRES - WIMBERLY LANE - SEWER SERVICE PROVIDED BY TRAVIS COUNTY MUD NUMBERS 3 AND 4). (10:06 AM)

Item 23.B postponed until May 26, 1998.

24. A. APPROVE CASH SECURITY AGREEMENT PROVIDING FULL FISCAL FOR BARTON CREEK SECTION F BLOCK A, LOT 1, A SUBDIVISION IN PRECINCT THREE. (10:06 AM)

Item 24.A postponed until May 26, 1998.

- B. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK SECTION F, BLOCK A, LOT 1 - (LONGFORM- CASH SECURITY AGREEMENT POSTED WITH TRAVIS COUNTY - 1 LOT - 21.706 ACRES - BARTON CLUB DRIVE - SEWER SYSTEM PROVIDED BY TRAVIS COUNTY MUD NUMBER 4). (10:06 AM)

Item 24.B postponed until May 26, 1998.

25. CONSIDER RESUMPTION OF COUNTY MAINTENANCE OF MARGO DRIVE IN PRECINCT FOUR. (9:21 AM) (4:12 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 25 to be reposted on May 26, 1998.

26. AUTHORIZE PROCEDURE FOR CERTIFYING PLATS TO THE CITY OF AUSTIN FOR COMPLIANCE WITH TRAVIS COUNTY STANDARDS. (4:19 PM)

Members of the Court heard from: Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 26 to be reposted on May 26, 1998.

27. APPROVE THE USE OF A FORM FOR A LETTER OF CREDIT DIFFERENT FROM THE STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS FOR STEINER RANCH PHASE 2 SECTION 4A, AND STEINER RANCH PHASE 2 SECTION 4B, TWO SUBDIVISIONS IN PRECINCT TWO.
(4:24 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to approve Item 27 as stated.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

28. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS970144-LH, AUSTIN RECOVERY CENTER, FOR PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK; CONTRACT WAS APPROVED ON MAY 6, 1997; MODIFICATION INCREASES THE NOT-TO-EXCEED AMOUNT FROM \$200,000.00 TO \$470,000.00. (4:25 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Emmett Hayes, Juvenile Court.

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve Item 28 as stated.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

29. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (4:26 PM)

Members of the Court heard from: Karen Shafer Castro, Senior Budget Analyst, PBO.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez to approve all the budget amendments, including the add-on A13.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

30. APPROVE PERSONNEL AMENDMENTS. (4:30 PM)

Members of the Court heard from: Carlotta Valdez, Compensation and Benefits Manager, Human Resources Management Department (HRMD); and Norman McCree, Lead Human Resources Analyst.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the Personnel Amendments under Item 30 as recommended by the HRMD staff.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:07 AM)

Item 31 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

Note 1 - Gov't Code Ann 551.071, Consultation with Attorney

Note 2 - Gov't Code Ann 551.072, Real Property

Note 3 - Gov't Code Ann 551.074, Personnel Matters

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON LEGAL ISSUES ASSOCIATED WITH AGREEMENT WITH TEXAS AGRICULTURAL EXTENSION SERVICE AND PROVIDE DIRECTION IN PREPARATION OF AGREEMENT. ¹**
(4:46 PM) (5:17 PM)

Judge Aleshire announced that Item 32 would be considered in Executive Session.

Statements for the Record were made by Judge Aleshire that the Court asks that the County Attorney's Office share the research that Barbara Wilson, Assistant County Attorney has done, indicating authority and overlapping authority (and Judge Aleshire would personally say confusion) that exists between the Agriculture Extension Service and Travis County as to where these employees fit. The Court wants to publicly explain to anyone who has been concerned about the delay involved in the Court approving the appointment to the Agricultural Extension Agent since Jim Smith left. There are legitimate substantive and serious legal issues that have been raised as a result of one or more lawsuits that have been brought against Travis County because of actions by the employees that are working either or both for the Agriculture Extension Service and Travis County. The Court is working earnestly, through the County Attorney's Office, with A & M and the Extension Service to try to complete a contract that will settle these issues and provide clear guidance for the future.

Item 32 to be reposted as soon as Travis County is able to get a draft contract.

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: CURTIS S. CANTWELL V. TRAVIS COUNTY, TEXAS; (CANTWELL; GIESELMAN; TEXAS TORT CLAIMS ACT; PERSONAL INJURY).¹ (4:46 PM) (5:18 PM)

Judge Aleshire announced that Item 33 would be considered in Executive Session.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez that the offer be rejected and counter in the amount of \$10,000.00.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: GARY CUTLER V. TRAVIS COUNTY CIVIL SERVICE COMMISSION FOR SHERIFF'S OFFICE EMPLOYEES, CHAIRPERSON ALLISON B. WETZEL, COMMISSIONER VELVA PRICE AND COMMISSIONER COLON E. JORDAN, IN THEIR OFFICIAL CAPACITIES AS COMMISSIONERS OF THE TRAVIS COUNTY CIVIL SERVICE COMMISSION, AND SHERIFF MARGO L. FRASIER, (CUTLER; FRASIER, CIVIL SERVICE EMPLOYMENT ISSUES).¹ (4:46 PM) (5:18 PM)

Judge Aleshire announced that Item 34 would be considered in Executive Session.

Item 34 to be reposted on May 26, 1998.

THE FOLLOWING ITEMS ARE ADDENDA:

A.1 TAKE ACTIONS NECESSARY TO ACQUIRE FINANCIAL ADVISOR SERVICES CONTRACT. (4:40 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to authorize the Purchasing Agent to bring forward the appropriate exemption order for professional services. The Court will move ahead toward negotiating a new contract with Ladd Patillo and Associates. If the Court can not come to a satisfactory conclusion of those negotiations, the Court will then go out for the new RFS.

Maker and Second accept the Friendly Amendment by Judge Aleshire that there be a time limit on the negotiation and direct how the negotiation occurs.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Gómez.

Maker and Second accept the Friendly Amendment by Commissioner McKee that Precinct Two Commissioner Karen Sonleitner and Precinct Four Commissioner Margaret Gómez coordinate with Purchasing and serve as the negotiating team, with advice from the County Attorney’s Office, to prepare a proposed contract that would be posted on the agenda for June 9, 1998.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Gómez.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

A.2 DISCUSS AND GIVE STAFF DIRECTION ON CORRECTIONS, CLARIFICATIONS AND CHANGES IN THE DRAFT FOR CHAPTER 48 OF THE TRAVIS COUNTY CODE (OSSF RULES) AS APPROVED BY THE COMMISSIONERS' COURT ON MAY 12, 1998, TO CORRECTLY REFLECT THE STATED POLICY OF THE COURT. (3:00 PM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Affairs Services; Irvin Konrod, Field Supervisor, Austin-Travis County Health and Human Services Department; Jim Fulton, Engineering Associate III, Austin-Travis County Health and Human Services Department.

Motion by Commissioner Moore and **seconded by** Commissioner McKee to authorize Mary Etta Gerhardt, Assistant County Attorney, to totally separate the documentation for variance and for each item, noting what has been approved today but listing it in a clearer form. The substance of the Court's discussion and the documents (today) should be reflected in that writing and submitted for the Court's Minutes.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to adjourn the Voting Session. (5:19 PM)

Motion carried: County Judge Bill Aleshire - yes
Precinct 1, Commissioner Darwin McKee - yes
Precinct 2, Commissioner Karen Sonleitner - yes
Precinct 3, Commissioner Margaret Moore - yes
Precinct 4, Commissioner Margaret J. Gómez - yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge